

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

SHIRLEY M. SMITH,

Plaintiff,

v.

No. 1:23-cv-02108-JDB-jay

WALBRIDGE CONSTRUCTION, *et al.*,

Defendants.

ORDER ADOPTING REPORT AND RECOMMENDATION,
DISMISSING CERTAIN CLAIMS,
AND GRANTING PLAINTIFF LEAVE TO AMEND COMPLAINT

On February 27, 2023, the Plaintiff, Shirley M. Smith, filed a pro se complaint against her former employer, Walbridge Construction, and various other parties alleging workplace discrimination. (Docket Entry (“D.E.”) 1.) In an order entered June 20, 2023, she was granted leave to proceed in forma pauperis. (D.E. 9.) Under Administrative Order No. 2013-05, the action was referred to the assigned magistrate judge, Jon A. York, for management of all pretrial matters. In a screening report and recommendation entered August 21, 2023 (the “R&R”), pursuant to 28 U.S.C. § 1915(e)(2)(B), Judge York recommended that Plaintiff be permitted leave to amend her complaint to plead facts from which the Court can infer that her employer's conduct related to her race and gender and that her claims for retaliation and discrimination based on age or disability, as well as any claims against her former co-workers and supervisors, be dismissed. Plaintiff has filed no objections to the R&R and the time for doing so has expired.

For the reasons set forth therein, the R&R is ADOPTED. Plaintiff may amend her complaint in order to properly allege claims of race and gender discrimination in accordance with the R&R within thirty days of the entry of this order. The amended complaint must be legible.

Smith's remaining claims are DISMISSED. To the extent she has named former co-workers and supervisors as Defendants, those claims are also DISMISSED.

IT IS SO ORDERED this 8th day of September 2023.

s/ J. DANIEL BREEN
UNITED STATES DISTRICT JUDGE